STATE OF NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES

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WASTE MANAGEMENT COUNCIL

MAR 0 6 2006

APPEAL OF: DR. RAE BARNHISEL IN RE: GROUNDWATER MANAGEMENT PERMIT No. 199103027-T-001

DOCKET No. 05-20 WMC

MOTION TO INTERVENE

NOW COMES, the Intervenor, Town of Temple, by and through their attorneys, Cook and Molan, PA and file this Motion to Intervene in the above captioned matter and state in support thereof as follows:

- 1. The Town of Temple ("Temple") seeks to intervene in the above captioned matter pursuant to Env-WMC 204.05.
- 2. The Appeal at hand contests the issuance of a Groundwater Management Permit to Temple by the Department of Environmental Services ("DES").
- 3. Temple applied for and received the Groundwater Management Permit as it relates to a closed municipal landfill located within the Town of Temple.
- 4. Thus, any decision which the Waste Management Council makes with respect to the Groundwater Management Permit dramatically affects Temple's interest in the Permit as well as its landfill.

WHEREFORE, the Town of Temple respectfully requests this Honorable Council grant the following relief:

- A. Grant this Motion to Intervene; and
- B. Grant such other relief as this Council deems just and proper.

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Respectfully submitted,

Town of Temple By Its Attorneys COOK & MOLAN, P.A.

Date: March 3, 2006

By: (Biron L. A. B.)

100 Hall Street, P.O. Box 1465

Concord, NH 03302-1465

(603) 225-3323

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was this day mailed, via first class mail, postage prepaid, to Dr. Rae Barnhisel, 161, Fish Road, Temple, New Hampshire 03084 and Anthony I. Blenkinsop, Assistant Attorney General, Office of Attorney General, Environmental Protection Bureau, 33 Capitol Street, Concord, New Hampshire 03301.

Biron Bedard, Esq.